

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KRISTIN A. CARMODY,	:	
	:	
Plaintiff,	:	
	:	21 Civ. 8186 (LGS)
-against-	:	
	:	<u>ORDER</u>
NEW YORK UNIVERSITY, et al.,	:	
	:	
Defendants.	:	
	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, per the Second Amended Case Management Plan dated May 6, 2022, fact discovery closed on July 11, 2022.

WHEREAS, on July 8, 2022, fact discovery was extended to July 29, 2022, for the limited purpose of deposing three individuals.

WHEREAS, on July 25, 2022, the parties filed letter motions seeking the Court's intervention to resolve a number of discovery disputes.

WHEREAS, on July 29, 2022, the parties filed responses to the respective motions.

WHEREAS, as an initial matter, the parties' requests for relief are untimely as fact discovery closed on July 11, 2022. It is hereby

**ORDERED** that Defendants' motion to inspect Plaintiff's original diaries is GRANTED IN PART. By **August 12, 2022**, Plaintiff shall make the original diaries available for review by one of Defendants' attorneys at Plaintiff's counsel's office. The reviewing attorney may not disclose any confidential material that was previously redacted in the copies of the diaries. It is further

**ORDERED** that Defendants' motion to compel Plaintiff to identify the individual(s) who

provided Plaintiff with audio recordings and emails that included NYU's Root Cause Analysis Summary ("RCA Summary") is DENIED without prejudice to renewal. If and when Plaintiff relies on any of the audio recordings and/or the RCA Summary in this action, Plaintiff must disclose the name(s) of the individual(s) who provided the materials. At that time, Defendants may seek leave to conduct any additional discovery regarding the authenticity of those materials. It is further

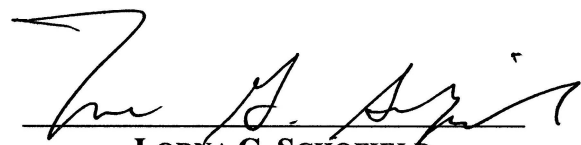
**ORDERED** that Plaintiff's motion to compel the production of certain employment documents relating to three alleged comparators is GRANTED. At this stage of the litigation, Plaintiff is entitled to discovery to identify potential comparators. By **August 9, 2022**, Defendants shall produce the requested documents pursuant to the protective order. It is further

**ORDERED** that with respect to Plaintiff's motion to compel the production of documents relating to Defendants' response to the Accreditation Council for Graduate Medical Education, by **August 9, 2022**, (i) Plaintiff shall file a letter providing further detail regarding the relevance of the requested documents and how Plaintiff intends to use the documents in this action and (ii) Defendants shall file a letter providing further legal support regarding the scope and application of any self-critical analysis privilege in this action. The respective letters shall not exceed three (3) pages. It is further

**ORDERED** that by **August 5, 2022**, Plaintiff shall file a response to Defendants' letter motion to seal at Docket No. 42, identifying any portions of the referenced text messages that should be afforded confidential treatment and the basis for such treatment.

The Clerk of Court is respectfully directed to close the motions at Docket Nos. 37 and 38.

Dated: August 3, 2022  
New York, New York

  
**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**